

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CHRISTOPHER WILLIAMS,

Case No. 3:12-cv-00503-MMD-WGC

Petitioner,

ORDER

v.

I. BACA., *et al.*,

Respondents.

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which counsel has been appointed to represent petitioner (dkt. nos. 3, 6). The petition was dismissed as successive and a certificate of appealability was denied (dkt. nos. 28 and 29). Petitioner has appealed.

Before the Court is petitioner's motion to withdraw counsel (dkt. no. 32). Counsel moves to withdraw on the request of petitioner due to a conflict of interest. However, because of the pending appeal, the Court lacks jurisdiction to take action on this motion. *U.S. v. Vroman*, 997 F.3d 627, 627 (9th Cir. 1993) (filing of notice of appeal "divests the district court of its control over the aspects of the case involved in the appeal") (*quoting Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982)).

IT IS THEREFORE ORDERED that the motion to withdraw counsel shall be referred to the Ninth Circuit Court for its consideration.

Dated this 12th day of September 2013.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE